

<b>Merle L. Lloyd &amp; Sons, Inc.</b>	)	<b>Departmental</b>
<b>Somerset County</b>	)	<b>Findings of Fact and Order</b>
<b>Norridgewock, Maine</b>	)	<b>Air Emission License</b>
<b>A-441-71-E-R</b>	)	

After review of the air emission license application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

## **I. REGISTRATION**

### **A. Introduction**

Merle L. Lloyd & Sons, Inc. based in Norridgewock, Maine has applied to renew their Air Emission License, permitting the operation of portable sand/gravel crushing equipment and a diesel generator.

### **B. Emission Equipment**

This air emission license includes the following emission units:

#### **Rock Crusher**

<u>Equipment</u>	<u>Powered</u>	<u>Process Rate</u>	<u>Control Device</u>	<u>Date of Mfg</u>
Primary	Diesel Generator	125 tons/hr	Water sprays	1986

#### **Generator**

<u>Equipment</u>	<u>Max. Capacity</u>	<u>Max. Firing Rate</u>	<u>Power Output</u>
Diesel Generator	1.5 MMBtu/hr	10.95 gal/hr	295 hp

### **C. Application Classification**

Based on the submitted application, Merle Lloyd & Sons, Inc. is classified as a minor source. The license has been processed through Chapter 115 of the Department's regulations.

## II. BEST PRACTICAL TREATMENT

In order to receive a license, the applicant must control emissions from each unit to a level considered by the Department to represent best practical treatment (BPT), as defined in Chapter 100 of the Bureau of Air Quality regulations.

### A. Rock Crusher

The primary rock crusher was manufactured in 1986 with a rated capacity of 125 ton/hr and includes a classifier screen with water sprays.

The rock crusher unit is not subject to EPA New Source Performance Standards (NSPS) Subpart OOO for Nonmetallic Mineral Processing Plants. Although the unit was manufactured after the August 31, 1983 cutoff, the capacity is less than the 150 tons/hr threshold for portable plants. A portable rock crusher is defined as one that is not attached or clamped via cable, chain, turnbuckle, bolt, or other means (except electrical connections) to any anchor, slab, or structure (including bedrock) that must be removed prior to transportation.

The regulated pollutant from rock crushers is particulate matter. To meet the requirements of BPT for control of particulate matter emissions from the crushing operation, Merle Lloyd & Sons, Inc. shall install and maintain water sprays on the rock crusher and screening unit and operate them as needed for particulate control. Visible emissions from the rock crusher and classifier screen shall be limited to no greater than 10% opacity on a six minute block average.

### B. Generator

The generator at Merle Lloyd & Sons, Inc. is rated at 10.95 gal/hour (approx. 1.5 MMBtu/hr) and fires diesel fuel with a sulfur content not to exceed 0.05%. The generator shall be limited to 20,000 gallons/year based on a 12 month rolling total.

Emissions for the generator were based on AP-42 factors and sulfur mass balance. To meet BPT visible emission requirements, the diesel unit shall not exceed an opacity of 20% on a 6 minute block average basis, except for no more than 2 six minute block averages in a continuous 3-hour period.

### C. Stock Piles and Roadways

BPT for all potential sources of fugitive PM emissions, including material stockpiles and unpaved roadways, shall be controlled, as needed, by wetting with water, with calcium chloride, or other methods as approved by the Bureau of Air Quality. Visible Emissions shall not exceed an opacity of 20%, except for no more than 5 minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour period.

D. Facility Emissions

**Total Allowable Annual Emissions for the Facility**  
(used to calculate the annual license fee)

<u>Pollutant</u>	<u>Tons/Year</u>
PM	0.16
PM <sub>10</sub>	0.16
SO <sub>2</sub>	0.07
NO <sub>x</sub>	6.04
CO	1.03
VOC	0.48

**III. AMBIENT AIR QUALITY ANALYSIS**

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a renewal source shall be determined on a case-by-case basis. Modeling and monitoring are not required of a renewal if the total emissions of any pollutant released do not exceed the following:

<u>Pollutant</u>	<u>TPY</u>
PM	50
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	100
CO	250

Based on the emissions listed above, Dragon is below the emissions level required for modeling and monitoring.

**ORDER**

Based on the above Findings and subject to conditions listed below the Department concludes that the emissions from this above source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards or increment standards, either alone or in conjunction with emissions from other sources.

**Merle L. Lloyd & Sons, Inc.**  
**Somerset County**  
**Norridgewock, Maine**  
**A-441-71-E-R**

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4

**Departmental**  
**Findings of Fact and Order**  
**Air Emission License**

The Department hereby grants Air Emission License A-441-71-E-R, subject to the following conditions :

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions.
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115.
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both.
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request.
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 MRSA §353.
- (6) The license does not convey any property rights of any sort, or any exclusive privilege.
- (7) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions.
- (8) The licensee shall maintain sufficient records, to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request.

- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a license or amendment shall not stay any condition of the license.
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license.
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- (i) perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - a. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - b. pursuant to any other requirement of this license to perform stack testing.
  - (ii) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - (iii) submit a written report to the Department within thirty (30) days from date of test completion.
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- (i) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

- (ii) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - (iii) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- (13) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement.
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation.
- (15) Upon written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.

## **SPECIFIC CONDITIONS**

- (16) **Rock Crusher** [MEDEP Chapter 115, BPT, MEDEP Chapter 101]
- a. Merle Lloyd & Sons, Inc. shall install and maintain water sprays on the rock crusher and screening unit and operate them as needed for particulate control. Visible emissions from the crusher and screen shall be limited to no greater than 10% opacity on a six minute block average.
  - b. Merle Lloyd & Sons, Inc. shall maintain a log detailing the maintenance on the water spray nozzles. The maintenance log shall be kept on-site at the rock crushing location.

- c. Merle Lloyd & Sons, Inc. shall maintain a log detailing and quantifying the hours of operation on a daily basis for the primary rock crusher. The operation log shall be kept on-site at the rock crushing location.

(17) **Generator** [MEDEP Chapter 115, BPT]

- a. The generator shall not fire more than 20,000 gallons/year diesel fuel, on a 12 month rolling total. Fuel records shall be kept documenting this limit. Sulfur content shall not exceed 0.05% by weight. Fuel records shall be kept documenting the annual limit and shall include sulfur content information. These records shall be maintained for at least six years and shall be available to the Department upon request.
- b. Emissions from the generator shall not exceed the following limits:

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.18
PM <sub>10</sub>	0.18
SO <sub>2</sub>	0.08
NO <sub>x</sub>	6.62
CO	1.43
VOC	0.53

- c. The generator shall not exceed an opacity of 20% on a 6 minute block average basis, except for no more than 2 six minute block averages in a continuous 3 hour period.

(18) **Stockpiles and Roadways** [MEDEP Chapter 115, BPT]

All potential sources of fugitive PM emissions, including material stockpiles and unpaved roadways, shall be controlled, as needed, by wetting with water, with calcium chloride, or other methods as approved by the Bureau of Air Quality. Visible Emissions shall not exceed an opacity of 20%, except for no more than 5 minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour period.

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**Departmental  
Findings of Fact and Order  
Air Emission License**

(19) **Equipment Relocation** [MEDEP Chapter 115, BPT]

- a. Merle L. Lloyd & Sons, Inc. shall notify the Bureau of Air Quality, by a written notification at least 10 days in advance, prior to relocation of any equipment carried on this license. The notification shall be sent to:

Attn: Relocation Notice  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

The notification shall include the address of the equipment's new location and the license number pertaining to the relocated equipment.

- b. Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification will be made to the respective county commissioners.

- (20) Merle L. Lloyd & Sons, Inc. shall pay the annual air emission license fee within 30 days of **September 30th** of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under 38 MRSA §341-D, subsection 3.

- (21) Merle L. Lloyd & Sons, Inc. shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order. [MEDEP Chapter 115, BPT]

- (22) This license shall expire five years from the signature date below. [MEDEP Chapter 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS        DAY OF        2003.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 9/25/2003

Date of application acceptance: 10/7/2003

Date filed with the Board of Environmental Protection \_\_\_\_\_

This order prepared by Jonathan Voisine, Bureau of Air Quality.